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A. W. PEARSON,
Manager.

TUESDAY : : : OCTOBER 6

OBSTRUCTIONS TO JUSTICE.

It is as true now, as when the maxim originated, "It will be true in all ages—that it is better for ninety-nine guilty men to escape than for one innocent man to suffer." But this does not mean that the ninety-nine guilty men should be permitted to escape on some refined technicality, not affecting the substance of the charges, in order that the innocent hundredth man should be set free on a similar ground. What it does mean is that no man should be acquitted or convicted on an accusation of crime, except after a fair trial on the merits and that, in every case justice, according to law, that is, justice based on truth, should be accorded.

The decision of one of the Circuit Judges in Honolulu, endorsed by another, that every defendant arrested for a petty offense, within the Fifth Amendment to the Federal Constitution is rendered legally infamous in this Territory, if found guilty and punished, may be good law. At all events it stands until reversed. But it is contrary to the common sense of ordinary laymen that the necessity for a general jail delivery or the exaction of impossible labor for grand juries should have been discovered in these Islands in the third year of the Twentieth century. The public will not be satisfied without an endorsement of the decision by the Supreme Court, and it is expected that the Attorney General will promptly secure the judgment of that tribunal.

No community wishes to have the punishment of the innocent upon its conscience. But, on the other hand, no American community in these days, is anxious to invent new methods of escape for the guilty. The great desiderata in dealing with crime are quickness, certainty, and the closing of gaps after conviction. The technical resources of a certain order of lawyers in the United States have produced delays, minute elaboration in trials and loopholes after judicial decisions, which raise crime to the dignity of a game between rascals and the public, in which the courts are regarded as places through which, if they have skilled drivers, delinquents can be safely conveyed in a coach and four.

The highest Federal attorney in this Territory, whose duties embrace the prosecution of parties accused of crime within the Federal jurisdiction, however loyal to his private clients in the Territorial tribunals, cannot be anxious to have immunity guaranteed to misdeemants, as a class, unless their constitutional infamy is finally and definitely established, and in the suggestion now made, full cooperation with the Attorney General, in order to promote a speedy hearing and determination by the Supreme Court, may be reasonably anticipated.

The arguments of eminent judges and of the greatest American lawyers against mob violence or the rapid movements of Judge Lynch are frequent and able just now, and they all turn upon the proposition, underlying the Manchicht decision, that although forms are not to be disregarded, substance is more important, and that mere legal cobwebs, however fine in construction, should be promptly and rudely brushed away by the strong hand of judicial power.

The Macedonians, or whoever of them remain, are tired of the war. A fighting race who tested the strength of Russia twenty-six years ago easily proved too much for the provincial insurgents of the present time. It is lucky for Bulgaria that she did not declare war, otherwise the good old name of Sofia would probably have been changed to Fatima by this time.

In tomorrow's Sunday Advertiser Col. Thomas Fitch's great audience will find an interesting narrative of Stumping in California—a subject he is peculiarly qualified to treat. How the Colonel came to get \$5000 for a tour with Senator Stanford out of \$10,000 which the Senator had set apart for paying him, is a story that nobody should miss.

If the Chinese highway attacks upon Japanese laborers continue the Chinese will have only themselves to blame if the Japanese retaliate on them as a class. There is the making of considerable trouble in the criminal doings up beyond Moanalua.

It is the duty of the scavengers, if they come across the Bulletin trophy among the other tin cans, to take it along. No one knows how many mosquitoes such a thing might harbor, providing it doesn't leak.

It appears from the Bulletin's explanation that after Hobron had won the cup some more conditions were strung on it. The final condition, that Hobron pay for the cup, will probably be announced later.

At the election of 1900 Charley Booth was defeated as a Democrat. This year he has chosen to be beaten as a Home Ruler.

Nothing shows better the advance in the material and commercial prosperity of the islands than the dry statistics. In 1875 the exports of sugar amounted to 25,080,182 pounds—in 1903 the total exported was 429,099 tons or 840,000,000 pounds.

PARK IMPROVEMENT.

With all the defects of the tramways service, it yet made thousands of Honolulu people more or less familiar with the benefits of sea bathing at Waikiki, as well as somewhat casually acquainted with the charms of Kapiolani park. Now the electric cars give an incomparably better service to those places and at from one-fourth to one-half the tramways fare, according to the starting point between Kalihi and Waikiki road. It is timely and well, therefore, that the Legislature has given something like adequate means to the Kapiolani Park Commissioners for improving that reservation. The work already accomplished has been intelligently designed and when the plans under execution are completed Kapiolani Park will be a new creation from its former condition, whose almost sole excellences lay in its smooth, winding, shady driveway and its sequestered homes of the favored few who, at the inception of the commission, secured building locations around the park borders.

Landscape gardening alone, however, will not fulfil the ideal of a great public recreating park. There is ample scope, with natural advantages besides, in the reservation for the introduction of features other than those of intrinsic beauty to the eye, and yet which can be introduced with enhancement of the beautiful. A picnic grove for Sunday schools and societies, with a shapely pavilion in its midst, would be an excellent addition. Another would be playgrounds absolutely free to all-comers at all times with the sole condition of good conduct on the part of those using the privilege. If the Hawaiian Jockey Club is going out of the park, as commonly understood to be the case, there is room enough in the space now occupied by it for a variety of sports and games to be carried on there at the same time. Garden spots might even then be interspersed amidst, say, polo, baseball, cricket, tennis and running track areas.

Honolulu ought also, at any cost, have a public sea-bathing allotment somewhere along the Waikiki beaches. It might be inaugurated and conducted under the auspices of a swimming club open to everybody, with a moderate annual membership fee to provide for running expenses. There are such organizations elsewhere with lists of members running into the thousands.

No doubt the park commissioners will be glad to receive ideas from the public which may aid them in their purpose of making Kapiolani Park a place to vie with the finest public recreation grounds anywhere.

BETTER THAN BOOMS.

Some public experiences come to a city or locality never to return. So far as Honolulu is concerned the annexation boom was one of them. That great inflation was due to a gambler's guess that Honolulu, once in the Union, would be a good place in which to speculate for a year or two. So strangers flocked in and bought things and sent prices up. The boom lasted two years and a vast amount of money changed hands and the transient white population grew apace. Then the usual collapse arrived and we had as much stagnation as an income of some millions per year for sugar would permit.

Booms do not recur, at least not often than lightning strikes twice in the same spot. But if a town is good for anything it has something better than a chance of speculation with which to attract men and capital and all the elements of prosperous growth. That is why Los Angeles grew after the disastrous collapse of 1888. Driven to the country, many of the stranded boomers began to cultivate the land and they soon developed unexpected riches. The value of the climate and scenery as an asset came to be appreciated. Before long Los Angeles, which emerged from the inflated boom with 50,000 people entered an era of healthy growth which has increased her population to about 150,000 and more coming. The change from the day of feverish speculation to that of tourist travel and calm investment was most beneficial. Ceasing to advertise corner lots, the Los Angelinos proclaimed their wealth of climate, scenery and agricultural land and people began going there for health, pleasure and industry. But in all the time from 1888 to 1902 there has been no recurrence of the boom.

Some Honolulu people hope that the boom of 1888 will come back, but we think they will wait for it in vain. Like Los Angeles, however, there is a chance for Honolulu to get something vastly better than any form of speculative inflation. If our public agricultural land could be surveyed and advertised on the mainland whenever a sufficient tract is ready to be sold, we should soon see white producers flocking to it. Honolulu is already ready after tourists, but it needs to see that there is no possible lack of funds to carry on the work of getting them. Tourists and small farmers could easily be the making of a new and greater Honolulu. The former class spends money generously, often invests in local securities or perhaps becomes a part of the citizenship. The latter settles on the soil and makes it add to the common store of food and to the aggregate of taxable property. Between the two is prosperity and material growth for the Territory in general and this city in particular.

The police deserve a good word for the capture of the Chinese highwayman and his fellow criminals. They did the work with shrewdness and dispatch. Especial credit is due Ah On, the Chinese officer, whose courage is equalled by his shrewdness. The break-up of the gang derives a Federal importance from the fact that the men were undoubtedly counterfeiters as well as thieves and road agents.

The Moros have formally abolished slavery as an institution but in all likelihood will retain their slaves as property.

In a day or two more the newspaper knockers will declare that the bond settlement came about in spite of Carter.

A MORAL FROM THE SEA.

To watch from the shore at Waikiki the restless and wrinkled face of the ocean, on a calm evening, when the new moon spreads a film of dazzling light upon its moving surface that also filters through the bordering verdure, fills the receptive soul with thrills of supernatural beauty. Over three-fourths of the globe, the enormous body of water, christened with hundreds of expressive names, lines and guards the islands and the continents and, although there is much apparent irregularity in its boundaries, there is no break in its continuity. The ship that drives its beak into the glittering coasts which reflect the Aurora Borealis, the fishing boat tossing upon the Baltic or the Mediterranean or the Bay of Biscay, the Chinese junk or the smoking leviathan whirled around in the typhoon of the Yellow Sea, the packed liner, with its large sails furled or reefed, as it buffers the great waves off Cape Horn, and the canoe, with its bronzed Polynesians, riding quietly in the liquid music that surrounds Oahu, are all adrift in the same vast ocean, each drop of which, in all the parallels of latitude, is blended into every other drop from the Arctic to the Antarctic.

Towards the head and foot of the world, rose raises its grand obelisks of ice to tower and glitter under the steel-cold sky. On the rocky and rugged coasts, the fury of the winds merges with the swelling tides until their wild exultation bursts in spray and foam. Again, under the eternal dome, brilliant with frosted lines or lost in starless night, the surging billows roar amidst countless echoes. And, in equatorial heat or tropical glow, under the life-giving sun or the majestic constellations and the luminous track in which perfect liveliness and ceaseless order tread their noiseless way, the tender sigh, the eloquent whisper, the lulling song, through which the natural fraternity is breathed, spread the sweet influences that melt the rough edges of fate and soothe the fretted soul to peace and bliss.

Who can hear the diversified voices of the sea—the melody of its superficial tones, the bursting harmonies from beneath the waves, the resounding symphonies from its depths—without receiving the vibrating impressions of gentleness and sympathy such as the heart of man has never conceived, of perfect combinations in which creation itself becomes articulate, of power compared to which the intricate inventions and adaptations of human genius are weak and nervous, of that spiritual aspiration and striving that never ceases to endure and to labor for escape from the thrall of the material and the palpable. All these scenes and sounds, all these suggestions and inspirations, proceed from the use of man and richly contribute to his bodily sustenance, curbed and held in the grasp of Omnipotence, and, with all its differing powers and functions, exercised from its sunken valleys to its submerged peaks, a segment of the original design that is imprinted on the universe in imperishable lines and colors.

It is the cruel sea, the bitter sea, the bolterous sea, the remorseless sea, the yearning sea, the tender sea, as in their contradictory moods, in their separated abodes and in the alternations of seasons and of conditions, it has been depicted by the poets; and yet, the changeless sea that proves and illustrates eternal and varying law, and teaches the philosophy of the ages to the fluctuating and disturbed inhabitants of the land.

FORESTRY WORK.

Forester Hall's recommendations deal not only with questions of forest reservation and forest protection, but also with the necessity for replacing some of the unprofitable trees of Hawaii with those which are commercially valuable.

The ohia lehua, which comprises a large part of the island forests, is of little value. In Mr. Hall's opinion commercial woods should be substituted, and although the process will be a long one it will without doubt pay in the end. For instance the koa forests, which are rapidly dwindling away, might with government aid be replenished to something of their old time grandeur. The koa is one of the most beautiful of furniture woods.

Kou and sandal wood can be propagated with success. Both woods flourished well many years ago, and even then were considered of great value. These are examples only of woods which it is known will grow in Hawaii.

The introduction of new trees will probably be the most important work for the local chief of the forestry division who is to be sent here by Mr. Pinchot. The red wood and red fir are two of the woods mentioned by name by Mr. Hall, who believes they would do well in certain portions of the mountains. The northwest pine is another tree which it is said will grow well in the islands. There are many varieties of other climes which need but to be introduced to show their worth and which might profitably be experimented with on idle government lands. The new forester will have work in plenty for years to come.

The President seems to have more mania on his calling list than any other man in the country.

Lord Lonsdale's Joke.

The trip of the Ventura is reported by the officers and passengers to have been particularly pleasant. Games were unusually popular, and after leaving Honolulu a "surprise auction" was held by W. R. Orr, at which various parcels made up for the occasion were auctioned off for the benefit of charitable institutions in this city, the amount realized being nearly \$250. One of the parcels, donated by Lord Lonsdale, went for \$100, and was purchased by F. Merton. It turned out to be a vial containing a liberal draught of popular tonic. Merton joined in the laugh that followed the unwrapping, for he lately disposed of a mine in Australia for something like \$2,500,000, and did not feel the loss of the \$100. A great deal of money is also said to have changed hands on the Ventura in the Calcutta pools on the runs of the steamer each day.—Chronicle.

LOCAL BREVITIES.

(From Saturday's Daily.)

Robert W. Shingle went to Kona, Hawaii, yesterday.

Another conference on the Kohala ditch matter will be held in Governor Doole's office this morning.

Miss Alice F. Beard, the founder of the Kona Orphanage, returned from the Coast in the Alameda.

S. B. Rose, secretary of Wilder's Steamship Company, will leave for the Coast on a vacation trip in the Sierra on the 12th inst.

Chalmers Graham, grown even more portly than when he lived here, arrived from San Francisco yesterday for a short business visit. Friends were shaking hands with him at every turn all day.

There have been no new developments in the case of the Japanese woman whose body was found on the beach at Waikiki. Yesterday one of the four husbands of the woman called upon Sheriff Chillingworth and wanted to offer a reward for the supposed murderers. The offer was not accepted.

The custom house received official instructions from Washington yesterday that no person coming from the Philippine Islands is subject to head tax. This ruling was made on an application of the War Department for the free admission of thirty-one Filipino carpenters to San Francisco.

E. M. Boyd, secretary of the Hawaiian Promotion Committee, has placed the contract for printing advertising folders with an establishment in San Francisco. Reports by the Alameda are that Mr. Boyd is much encouraged with indications of a large tide of tourists to Hawaii the ensuing season.

Ozumi, the Japanese who murdered his former wife at Kahana a few days ago, and then attempted suicide, was brought to Honolulu by Deputy Sheriff Lane yesterday afternoon. The self-inflicted wounds have not healed and the man has been placed in the hospital ward at Oahu Prison. While on the way up he is reported to have threatened to take his life at the first opportunity, and a guard will be maintained day and night.

(From Sunday's Daily.)

Will E. Fisher has taken out an auctioneer's license and opened a place of business in Merchant, near Alakea street.

Hustace & Co., Ltd., has not yet concluded its purpose of selling out, or merging with Peck & Co., Ltd. The latter some time ago absorbed the Union Express Co.

There will be no more public band concerts until Monday the 26th inst., when the Territorial band will break its vacation by a morning concert at the Capitol grounds.

Two farmers from the mainland went to the island of Hawaii this week, supplied with maps and directions by Commissioner E. S. Boyd, to look at lands with intent of taking up farms if conditions are inviting.

The Church in Hawaii will lose and the Church in California will gain two devoted members by the departure of Mr. and Mrs. Benjamin Allen. They leave Honolulu with the kindest feelings of all who know them, mingled with the greatest regret.—Anglican Church Chronicle.

A native woman reported to the police yesterday that she had seen the Chinese highwayman a few minutes after he shot Oda. He was then changing his clothes. Officer Elvin and one other policeman watched in the lantana all day for the footpad but got no trace of him.

(From Monday's Daily.)

The regular quarterly meeting of the Merchants' Association will be held some day this week. Reports will be made by officers. There is no business of particular importance to come before the meeting.

George Thielen, stenographer for the land court, will not assume his duties until the first of next month. In the meantime he is engaged in Secretary Carter's office in assisting preparations for the county election.

Prominent Japanese in the city have received letters of thanks from the parents of Tanbara Gishaburo, the Japanese murderer of Captain Jacobson of the schooner Fred J. Wood. They are residents of Japan and express thanks for the kindness shown their son.

Letters from Ellis Lando, Hawaii's representative at the Annapolis naval academy, tell of his success in making up the classes in which he was behind, owing to his late arrival. In the short time that he has been at school Lando has made up the two months, and has kept up with the daily classes as well.

W. J. Coelho has been appointed acting deputy clerk of the Second Circuit Court, by Judge Kalua.

A Republican mass meeting will be held at Pearl City next Saturday evening, and one at Waiwala a week later.

Louis McGrew, son of Dr. McGrew, who has been in Manila and China for the past five years, returned to Honolulu yesterday in the Siberia.

E. M. Hanana, D. H. Kahaulo and H. S. Kaleo are reported to be out with hammer and wedge in the enterprise of splitting the Republican party on Maui.

The Exposition Association of Hawaii will hold a special meeting tomorrow at 11 o'clock at the rooms of the Chamber of Commerce. Important business in connection with the final arrangements for the World's Fair will be discussed.

The postoffice dispatches mails to the other islands nearly every day. Advantage is taken of all outgoing steamers, instead of holding mail for the regular passenger liners. Arriving at a port the mails are snatched up promptly by the star route carriers, night or day, and whisked with the least possible delay to their destinations.

REMARKABLE.

"Yes, sir," said the new benedict. "I've got a remarkable wife. She can cook and play the piano with equal facility."

"The idea! Where did she ever learn to cook a piano?"—Philadelphia Press.

ORDER AS TO SUGAR

Collector Stackable Hears of Dingley Law.

Acting Collector Stackable has received from Secretary Shaw the following circular in regard to the identification of imported sugars subject to countervailing duties under the provisions of the Dingley law:

"I. All entries of sugar hereafter imported into the United States shall be accompanied by a certificate of origin stating (A) when the sugar was produced, the country of origin or production and the country of destination of the merchandise; (B) the kind and quantity of the sugar; (C) the kind, number and marks of the packages and (D) the manner and means of transportation, by land or water.

"II. Where the country of origin is not a party to the Brussels sugar convention of March 5, 1902, the certificate shall state, in addition to the foregoing particulars, that the merchandise was not obtained from a factory or refinery working or handling sugars from any bounty-paying country.

"III. The certificate shall be signed and issued by the proper government official having jurisdiction in the country of production, and such certificate shall be certified by the proper United States consular officer.

"IV. No certificate shall be deemed valid after the expiration of twelve months from the date of issue, or after the expiration of such less time as may be limited in the certificate by the issuing authority.

"V. In the absence of such certificate, liquidation of the entry shall be suspended and countervailing duties estimated in an amount equal to the highest export bounty or grant paid or bestowed by any country, both directly and indirectly, on the exportation of similar merchandise."

CHINESE FOOTPAD'S VICTIM IS DEAD

Oda, the second Japanese to be assaulted by the Chinese highwayman on the Moanalua road, died from his wounds Saturday about midnight at the Japanese hospital on Liliha street. A coroner's jury was empanelled and viewed the body. The inquest will probably be held today. Oda had been shot twice in the left side of the abdomen.

No trace of the highwayman has yet been found.

DEATH OF MRS. WM. H. GULICK

DIED, Sept. 14, at the home of Lady Henry Somerset, near London, Mrs. Alice Gordon Gulick, wife of Rev. Wm. H. Gulick, missionary to Spain.

Mrs. Alice Gordon Gulick, wife of the Rev. W. H. Gulick, was the founder and head of the International Institute for Girls at Madrid. Mr. and Mrs. Gulick were missionaries for the American Board in Spain for many years and Protestants claim that their work there has done very much towards advancing evangelical Christianity in that Catholic country. The Rev. Mr. Gulick is a son of the late Rev. Peter J. Gulick, one of the second group of missionaries to Hawaii, and both the Rev. Mr. Gulick and the late Mrs. Gulick are well known to many people here.

ANOTHER ATTACK UPON COUNTY ACT

It is rumored that the County Act is to be attacked in the courts on the ground that the board of supervisors is an illegal body, in that the Organic Act puts the appointment of all boards of a public character, besides those mentioned therein, in the hands of the Governor by and with the consent of the Senate.

The point is the same—though its application may prove to be quite different—as that which Judge Gear sustained, now pending on appeal in the Supreme Court, with regard to the board of public institutions created by the County Act.

New Stage Line Between Honolulu Heela and Koolau.

Mr. Lewis of the Hawaiian Stock Yards, has purchased the original stage line and mail contract on this popular route and from today will make regular trips daily over this route. Will leave this city at 8:45 a. m. and returning at 3:30 p. m., arriving at Heela at 11 a. m. and leaving there for this city at 1:30. Parties desiring an outing without the great expense of hiring a rig will find this stage line just the thing. Passes along the Nuuanu valley, over the pali, along the sisal and castor bean plantation. You will have two hours rest on the beach on the other side. The fare for the round trip is only \$2.00 or \$1.25 each way. Orders should be left with Mr. Lewis at the Hawaiian Stock Yards.

Peculiar To Itself

In what it is and what it does—containing the best blood-purifying, alterative and tonic substances and effecting the most radical and permanent cures of all humors and all eruptions, relieving weak, tired, languid feelings, and building up the whole system—is true only of

Hood's Sarsaparilla

No other medicine acts like it; no other medicine has done so much real, substantial good, no other medicine has restored health and strength at so little cost.

"I was troubled with scrofula and came near losing my eyesight. For four months I could not see to do anything. After taking two bottles of Hood's Sarsaparilla I could see to walk, and when I had taken eight bottles I could see as well as ever." SUE A. HANSTON, Withers, N. C.

Hood's Sarsaparilla promises to cure and keeps the promise.

BUSINESS CARDS.

H. HACKFELD & CO., LTD.—General Commission Agents, Queen St., Honolulu, H. I.

F. A. SCHAEFER & CO.—Importers and Commission Merchants, Honolulu, Hawaiian Islands.

LEWERS & COOKE.—(Robert Lewers, F. J. Lowrey, C. M. Cooke).—Importers and dealers in lumber and building materials. Office, 414 Fort St.

HONOLULU IRON WORKS CO.—Machinery of every description made to order.

HONOLULU STOCK EXCHANGE.

Honolulu, October 5, 1903.

NAME OF STOCK	Capital	Val.	Bid	Ask.
MERCANTILE				
J. B. Kett Co., Ltd.	1,000,000	100	.....	890
U. S. Sugar Co., Ltd.	200,000	80	.....	.....
Sw. & Co.	5,000,000	20	22 1/2	23 1/2
Haw. Agricultural Co.	1,000,000	100	.....	215
Haw. Com. & Sug. Co.	2,312,750	100	.....	.....
Haw. Sugar Co.	2,000,000	20	.....	25
Johnson	750,000	100	.....	.....
Honolulu	2,000,000	20	.....	14
Haiku	500,000	100	.....	.....
Kahuku	500,000	20	.....	21
Kihel Plant. Co., Ltd.	1,000,000	50	.....	10
Kipahulu	150,000	100	.....	10
Koloa	500,000	20	.....	145
McBryde Sugar Co., Ltd.	1,500,000	20	.....	95
Oahu Sugar Co.	2,500,000	100	.....	80
Onomae	1,000,000	20	.....	85 1/2
Ookala	500,000	20	.....	10
Olas Sugar Co., Ltd.	5,000,000	20	.....	10 1/2
Olowahu	150,000	100	.....	10
Pauhanu Sugar Plant.	5,000,000	80	.....	.....
Pacific	500,000	100	.....	225
Pala	750,000	100	.....	120
Popeokey	750,000	100	.....	175
Pioneer	2,700,000	100	.....	100
Waiwala Agr. Co.	4,500,000	100	.....	80
Waiuku	700,000	100	.....	280
Waimanalo	250,000	100	.....	100
STEAMSHIP CO'S				
Wilder S. S. Co.	500,000	100	.....	110
Inter-Island S. S. Co.	800,000	10	.....	115
MICHELLEMAN'S				
Haw. Electric Co.	50,000	100	95	105
H. R. T. & L. Co. Ltd.	1,000,000	100	.....	101
Hon. R. T. & L. Co. Ltd.	1,000,000	100	.....	80
Mutual Tel. Co., Ltd.	150,000	10	.....	.....
O. R. & L. Co.	4,000,000	100	.....	91 1/2
Hilo R. R. Co.	50,000	20	.....	20
BONDS				
Haw. Govt. S. & P.	.....	.....	.....	.....
Haw. Ter. S. & P. (Fire)	.....	.....	.....	.....
Hilo R. R. S. & P. (Fire)	.....	.....	.....	.....
Hon. R. T. & L. Co.	.....	.....	.....	.....
O. R. & L. Co.	.....	.....	.....	.....
Oahu P. & L. Co.	.....	.....	.....	.....
Waiwala Agr. S. & P.	.....	.....	.....	.....
Waiuku	.....	.....	.....	.....
Pioneer Mill Co.	.....	.....	.....	.....

METEOROLOGICAL RECORD.

By the Government Survey,